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World Chronicle

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HUMAN RIGHTS

José AYALA-LASSO, United Nations High Commissioner for Human Rights, reviews the work of his office to promote and protect human rights world-wide, which includes working with national Governments to establish legal instruments to protect those rights. Respect for human rights is considered a cornerstone for the achievement of international order, peace and cooperation. Education is a way to raise consciousness of human rights and to assert that having human rights also obliges one to respect the human rights of others. Mr. Ayala-Lasso commends NGOs for their effective work in exposing human rights violators. When violations are made known, the High Commissioner initiates a dialogue with the concerned Governments with the aim of achieving positive results through diplomatic channels. Mr. Ayala-Lasso's office receives more than 200,000 complaints of human rights violations a year; a fax line has been established to facilitate communications.

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ANNOUNCER: From United Nations Headquarters in New York, this is **World Chronicle**, an unedited interview programme about major global issues. Here now to introduce our guest is the host of today's **World Chronicle**.

LITTLEJOHNS: I'm Michael Littlejohns, and this is **World Chronicle**.

Perhaps none of the declarations adopted by the international community over the last 50 years is more impressive than the Universal Declaration of Human Rights. It demands respect for human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion. But the continued violation of these rights causes suffering and misery in many parts of the world. Why don't countries protect the human rights of their citizens? And what should the international community do to promote and guarantee those rights?

Our guest today is the most senior United Nations official responsible for human rights issues. He is José Ayala-Lasso, United Nations High Commissioner for Human Rights. Joining me to talk with Mr. Ayala Lasso are Ian Williams of the *Tribune* of London and Mercedes Hervas of *El Periodico* of Barcelona.

Mr. Ayala-Lasso, welcome to World Chronicle.

AYALA-LASSO: Thank you.

LITTLEJOHNS: Mr. High Commissioner, the Universal Declaration of Human Rights is a very impressive document which was adopted in 1948 when the UN was a much smaller institution than it is today in terms of membership. But unfortunately, the number of countries which observe this Declaration and protect the human rights of all of their citizens in the way that they're supposed to do leaves some room for improvement. What is your office as High Commissioner doing to address that situation?

AYALA-LASSO: Well, I think that the mandate I received from the General Assembly relates to the general world improvement of promotion and protection of human rights. I consider that, in fact, there is not a single country which complies with all that we would like each country to comply regarding the respect and promotion of human rights. Of course, there are countries who respect more than others. But my office is in charge of raising the level of general respect for human rights as they are proclaimed in the Universal Declaration and, later on, in a set of very important documents and treaties, conventions and and other declarations which have been improved by the international community during these 50 years.

LITTLEJOHNS: The office of High Commissioner was created at the end of '93, I believe, so you haven't been in this job for a very long time. Would you think – do you think that – have you fulfilled the hopes that you had when you entered the office?

AYALA-LASSO: The mandate I received is most complex, wide-scoped, and difficult, and I think that my office has had great success in having the image of the office of High Commissioner be internationally accepted and firmly established in the international environment. Of course, we have had some successes also, such as in cases like Rwanda, where a very small operation began – when? – a year and a half ago, and it has developed into a greater operation where we promote the protection of human rights and cooperate with the Government in order to establish national instruments for that kind of promotion and protection. I am not satisfied with what we have obtained. There are so many things that must be done. But I could say that in 18 months in office the opinions of NGOs and Governments which I have received are on the positive side.

LITTLEJOHNS: You have no enforcement capability? I mean, you have to rely on the goodwill of Member States, don't you?

AYALA-LASSO: Yes, that is right. You see, in my opinion, respecting human rights is a sort of obligation which has a legal binding – the treaties, the conventions, the legal structure; but more than that, it is necessary to recognize the need of giving an ethical substance to this attitude. If we do believe that all human rights are created equal in dignity and rights, we must contribute to that a kind of promotion and protection. In that sense, I hope that each human being will become a high commissioner for human rights. That will be the best enforcement we could obtain for the promotion of human rights.

WILLIAMS: You mentioned Rwanda as a success; of course, to most of the rest of the world it doesn't look like a success for the UN when half a million people died there as a result of the failure of the Security Council to assist the peace-keeping force that was already there. At least that was one of the explanations for half a million people dying. Certainly they died without too much intervention from the UN or the outside world. In the middle of the summer of '95 your human rights [Special] Rapporteur in Yugoslavia, Mazowiecki, suddenly, apparently confronted with people who treated the UN with disdain because of their failure to act, resigned because he felt that nothing was being done. How would you characterize the UN's record? Because it's not generally very good at putting Governments in pillories, which is where they have to be on human rights issues.

AYALA-LASSO: Well, I think that there are so many tragedies around the world, so many failures to comply with human rights, and these are due to a lot of factors. Perhaps the most important factor is a sort of deviation in the human conscience, in human leaders who do not understand that if peace is going to be achieved, if progress is going to be obtained, if democracy is going to be established, it is necessary to give to this a very strong basis, and that very strong basis is the respect for human rights. So if we do not act in accordance with these basic principles, it's not a surprise that human rights are violated.

And then the international community must intervene, must act, must cooperate, but is not always provided with enough resources and possibilities of actions to make successful contributions.

Let me remind you that when I was appointed and I took office on the 4th of April, the next day the crisis in Rwanda erupted. And two or three weeks after that, I was asked for my responsibility for not having avoided or impeded 250,000 persons killed in Rwanda. That's an easy way of establishing responsibilities. When I say that my operation has been successful, it is because I responded to a dramatic crisis in a way which has developed in positive aspects of cooperation for the promotion of human rights.

WILLIAMS: But you're talking about the conscience and respect for human rights. President Mary Robinson of Ireland, who was here recently, spoke to correspondents and talked about the cycle of impunity, the fact that across the world leaders who do these things are then exonerated. We just have to look at the Dayton peace settlement, where some of the people who seem to have clear responsibility very recently for genocide are now being sort of greeted as peace-makers and statesmen of world stature. How can an international organization and the international community expect human rights to be respected when they continue to kiss and make up with the people who have violated them so outstandingly?

AYALA-LASSO: Well, as High Commissioner for Human Rights, I am entirely in agreement with what you have said. I think that political reasons may induce some short-term conceptions or policies, but long-term basic conceptions should put emphasis on the need not to accept impunity. Impunity breeds violence and revenge. If we do take care of that problem – as some African leaders told me regarding situations in different countries, not only Rwanda or Burundi, but others – if we stop impunity, we will be creating a basis for a better world tomorrow.

HERVAS: Mr. Ayala-Lasso, could you summarize, what is the trend in general in human rights today? After the efforts of your office, after all the publicity, there is all this terrible abuse in every part of the world.

AYALA-LASSO: Well, I think that – to answer your question, I should say that the establishment of the office of the High Commissioner, which came a little after the Vienna Conference*, shows that there is an international trend toward the acceptance that human rights are very important, must be taken very seriously, and that States must work toward improving respect for human rights. That's a very good step in the evolution of this process. I have said that it is a step in the process of maturing the conscience of humankind. Let's remember that my office was proposed more than 50 years ago, and it was not possible to

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* World Conference on Human Rights; Vienna, Austria, 14-25 June 1993.

create the office, for a lot of political reasons. When the cold war ended, the world seemed to be able to get into the business of cooperation and consultation instead of confrontation. Human rights were used as political weapons in the past, and so that deteriorated the value of human rights. But after the cold war, people said, okay, human rights are important, let's work for human rights. So my office was established. And I hope that the work of the office, the cooperation of all the States which are basically responsible for the promotion and protection of human rights, actually the cooperation of all human beings, will conduce in us a constant process of perfection in these attitudes to a better general observance of human rights.

HERVAS: But is your office working only with Governments, with non-governmental organizations, with political structures, so to speak, in order to defend human rights, or are you working also with the other side of the equation, which is the little guy on the street? Are you doing anything to promote the idea that human beings have means to....

AYALA-LASSO: I think that one of the basic aspects for work-related human rights is education for human rights. And that applies for grass roots, to the people. If we do educate people on the concept that first there are human rights – in some areas of the world people have not the consciousness that they have human rights – and if we speak clearly about the existence of human rights and then about the ways and means and procedures to obtain the respect of those human rights, and if we insist that having human rights means also having the obligation to respect the human rights of the other, then we will be creating the best preventive action regarding violations of human rights and creating the basis for better societies in the future.

LITTLEJOHNS: Mr. High Commissioner, in your report to the General Assembly you said continuous coverage of human rights issues by the media is becoming increasingly important. The media's coverage of the situation in Nigeria, for example, didn't prevent the hangings that we all know about. And of course there have been allegations of violations of human rights in a number of countries, including very important ones like China. The situation in Cuba is the focus of a lot of media attention, particularly in the United States. What have you been able to do in these particular situations which have been the subject of so much reporting?

AYALA-LASSO: Let me say that indeed, the contribution of the media to raise the level of awareness about what is happening in the world is most important. Through this technological revolution, we are able to see now – today, this moment – what is happening on the other side of the world, this moment. And that creates a reaction of interdependence and solidarity. And so, when the media gives us news about human rights being violated, we feel ourselves outraged. We have been acting, in all those cases that you have mentioned,

and unfortunately not always our actions or our demands – I mean not only from my office but in general from the international community – have produced good results. But that should not be a reason to despair. We must not be discouraged. This promotion and protection of human rights must be a permanent attitude, and we must keep working together – the media, individuals, international organizations, our office – in order to contribute to better promotion and protection. And that's what we are trying to do.

WILLIAMS: Mercedes mentioned about the little guy on the streets, the man or woman who may not have a conception of human rights, but many of them not only have a conception of human rights, they have almost a sort of misconception that the United Nations is waiting to spring into action on their behalf. I mean, I gather you get a lot of individual complaints, and at one time – I don't know whether you're still running it, but you declared that you were going to have a fax line open all the time. Could you explain the – I'm in some dictatorship, threatened with death, or, you know, my family has been killed; I send you a letter. What do you do about it?

LITTLEJOHNS: Before you answer that, this is **World Chronicle**, our guest is José Ayala-Lasso, United Nations High Commissioner for Human Rights.

WILLIAMS: So how do you answer an individual complaint? What can you do for me under those circumstances?

AYALA-LASSO: We have special procedures established by treaties and by non-conventional attitudes or decisions taken which give us a clear orientation of what to do in specific cases. We receive more than 200,000 letters per year regarding violations of human rights, or information about what is happening in some area or to some people. And we try to answer each one of these cases. There are procedures which are in accordance with treaties, so we provide that information to committees which are established by those treaties, or to working groups or to special rapporteurs who have received the specific mandates. In other cases, we do analyze that information in order to see what we can do directly through other instruments of action. My office has the procedures established by international law to act: good offices, for instance, is one of the actions; to get in touch directly with Governments is another. I indeed established this fax line in order to let people have more direct contact with my office. It has not increased enormously the amount of letters or communications received, but it has increased the fact that people know now that they can address to my office a demand, and that my office will take care of doing what is possible to do regarding that demand.

[ALL SPEAK AT ONCE, LAUGHTER]

LITTLEJOHNS: You receive thousands of letters per year?

AYALA-LASSO: Yes. 200,000.

LITTLEJOHNS: 200,000?

AYALA-LASSO: More than 200,000 letters per year, yes.

WILLIAMS: Does that mean you send 200,000 letters to Governments about them?

AYALA-LASSO: Well, the letters are regarding a lot of different problems. Some of those letters, as I said, are oriented toward different committees, the Committee on Civil and Political Rights, the Committee on Economic, Social and Cultural Rights, the special rapporteur on specific countries or thematic issues. And so we try to answer all of these letters. One of the basic problems we have is that it is important for us to use this information, to analyze this information, to transform the information into good knowledge to give us the possibility of taking policy directions. That's what we are going to do with the process of restructuring the Centre for Human Rights, which I have faced since the beginning of this year, and which is almost ending in its first part.

WILLIAMS: But isn't it true that the committee on which – the UN committees that deal with human rights tend to be filled with the worst violators of human rights, who've manoeuvred specifically to get there? And in Geneva there's often a sort of gentlemen – well, they're not gentlemen! – an ungentlemanly agreement to shut up about each other's human rights violations!

AYALA-LASSO: Well, you see, in these matters, especially in committees emerging from treaties, we must remember that these bodies are composed of representatives of States, so in that sense they are political bodies. But I am a High Commissioner, which – I am not going to be subject to political considerations. So I will denounce and I will act concerning violations of human rights for the sake of human rights. That's it.

LITTLEJOHNS: Mercedes, you've twice asked –

HERVAS: Yes!

WILLIAMS: Sorry about that.

HERVAS: That's okay, that's okay. Are you a High Commissioner with the means to really function, or are you affected by the financial crisis that is really threatening to close down this Organization?

AYALA-LASSO: I could have a double answer to you. I could say that the financial crisis has not affected my office because my office has been permanently affected by financial crisis. Indeed, I do not still have a definite budget since my office was established. And that is one of the requests I am going to present to the General Assembly, in order to obtain a budget appropriate to comply with my obligations. But I must say that in the contacts I have had with States, States of all the regions of the world, the general feeling is that resources for the High Commissioner, for the programme of human rights in general, should be appropriate to the importance of the mandate given to this programme of human rights.

HERVAS: What do you mean by appropriate? Can you give us an idea? Is it a percentage of the budget? Is it a fixed amount?

AYALA-LASSO: Actually, now we have approximately 1.6 per cent of the total budget of the United Nations for the programme of human rights. That seems to me quite inappropriate. So we should try to increase that amount to give the human rights programme the possibility of doing more concrete actions. Let me say, for instance, that this year we have already given more than 100 programmes of technical assistance to States who have requested this assistance in order to create institutions, national institutions, to strengthen national institutions, to solve problems of justice or different problems of human rights. This shows that this demand is increasing. We will need additional resources if we are going to comply with our obligations. I do not know how much will be the amount. I may give very important figures, but I am conscious of the crisis we are passing through, and what I would like to request of the General Assembly is the approval of the budget as proposed by the Secretary-General this year.

WILLIAMS: There's two different approaches to human rights: One, you might say, is the Red Cross method, whereby you have to work even with the perpetrators in order to get the best deal. So, I think you know that during World War II the Red Cross kept quiet about some things it knew about in the hope that it would still get aid through to other people. But the other means – you mentioned the media before to Mike – was the whole question of the media and publicity. Now, most of these Governments have signed most of these charters and conventions, so they don't have any excuses. Do you believe that they should be pilloried loudly and publicly for failing? And do you see that as your job, even at the risk of causing political commotion in the UN system? Which doesn't like that type of thing.

AYALA-LASSO: Well, no, you see, I think that the work of the NGOs, for instance, has been very effective work. The methodology used by NGOs is to denounce, to accuse; sometimes that produces results. That's good, that's welcome. My office was established not to duplicate the work of NGOs or to replace the work of NGOs, but to obtain additional results; and in that sense I was asked to be in touch with the Governments, to dialogue with Governments. This is the methodology I have been using, and that is why my contacts sometimes have been very cautious. What I need is to obtain results. If I do obtain results through diplomatic approaches, that's good. But if I consider that diplomatic approaches are not sufficient or are not conducive to results, I will use all the mechanisms existing, including the mechanisms of denunciation and critique.

HERVAS: Publicly, you mean.

AYALA-LASSO: Yes, yes.

HERVAS: Tell me something about prevention. You mention it in your report, and it seems to me that prevention is close to health care, but not about abuses, human rights abuses. How do you explain prevention in your programme?

AYALA-LASSO: The best way to explain that could be mentioned in the case of Burundi. When I went to Rwanda last year, of course I realized that Burundi was also on the brink of eventual crisis, so I visited Burundi and I tried to start a programme of work in Burundi in order to contribute to avoid a crisis similar to the crisis in Rwanda. More than 16 months have elapsed, and the situation in Burundi is not good at all, but we have not had a second Rwanda in Burundi. And I am convinced that this kind of work, which tries to create conditions where Governments feel the need to better their records in respect of human rights, will conduce to preventive action. We need to work on this matter. It is, in my opinion, the most important aspect of the work of human rights – to prevent, because later on to try to correct mistakes is an obligation which is very expensive. In the sense of prevention, using limited resources we can often multiply results.

LITTLEJOHNS: Mr. High Commissioner, there have been reports of serious human rights violations in the Israeli-occupied Arab territories. Is that situation within your mandate?

AYALA-LASSO: Yes. The Commission on Human Rights decided some time ago to appoint a Special Rapporteur on this question, and after the resignation of the last Special Rapporteur recently, the Commission decided to appoint a new one. This Special Rapporteur is in contact with the Government of Israel in order to fulfil his obligations. My office cooperates permanently with the Special Rapporteur in order to facilitate the accomplishment of this mandate.

LITTLEJOHNS: You mentioned in one of your reports that Member States have reporting obligations and that some States parties to the Universal Declaration are not complying with those obligations. What are you doing to bring about compliance? And is Israel one of the countries which is complying, or is it not complying?

AYALA-LASSO: When a State ratifies an international convention – the civil and political pact, or the economic and social, or the pact against discrimination* – it assumes a legal obligation, and in that sense it is supposed to present yearly reports. Sometimes States do not present these yearly reports, and that's what I mean when I say that they are not complying with their obligation to present reports. These reports are analyzed by the

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* The International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; and the International Convention on the Elimination of all Forms of Racial Discrimination.

organs established by those treaties – the Committee on the Rights of the Child, for instance; they are analyzing reports presented by States. And those committees make recommendations or take decisions regarding those reports. My office considers that one of the most important aspects of the work of human rights is to implement those recommendations or decisions, and in that sense I have presented a programme of action precisely regarding the rights of children which will start a new approach to this problem. We are trying to create the mechanisms to follow up the decisions of the Committee on the the Rights of the Child so as to obtain compliance with the decisions or recommendations of the Committee. That means compliance with the obligations of the States emerging from the fact of adhering or having ratified the Convention on the Rights of the Child.

LITTLEJOHNS: We have only a few seconds left. If anyone wanted to report an alleged violation of human rights, they should write to you in Geneva?

AYALA-LASSO: Yes.

LITTLEJOHNS: At the UN Headquarters in Geneva, and then you would have your people look into it and analyze the situation.

AYALA-LASSO: Certainly. You have in Geneva the Centre for Human Rights. As I said, we receive a lot of communications; the Centre immediately analyzes those communications and takes action.

LITTLEJOHNS: Mr. Ayala-Lasso, that's all the time we have. Thank you for being with us on this edition of **World Chronicle**.

Our guest has been José Ayala-Lasso, United Nations High Commission for Human Rights. He was interviewed by Ian Williams of the *Tribune* of London and Mercedes Hervas of *El Periodico* of Barcelona.

I'm Michael Littlejohns. Thank you for joining us. We invite you to be with us for the next edition of **World Chronicle**.

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